

Washington State Solid Waste Advisory Committee

October 31, 2001

Cliff Weed
Washington State Department of Agriculture
Pesticide Management Division
P.O. Box 42589
Olympia, WA 98504-2589

Re: Preproposal Statement of Inquiry Regarding Clopyralid Containing Herbicides.....CR-101 (710/97)

Dear Mr. Weed:

The State Solid Waste Advisory Committee (SWAC) is a group organized as required by State law in order to provide input to the Department of Ecology, on solid waste rules and programs. Our membership consists of representatives of state and local government from across the state, haulers, recycling interests, regulators, and identified businesses. We have been following with interest and concern the issue of the herbicide clopyralid and its potential impact on compost product markets and backyard composting programs. Clopyralid-containing herbicides do not break down during normal composting processes and are damaging to sensitive plants at extremely low concentrations.

Composting is an essential management strategy for the enormous organic waste stream in Washington and is strongly encouraged by local, State and Federal policy. Public agencies and private companies have invested millions of dollars to develop diverse markets for compost products, from use as valuable garden and landscaping soil amendment products to use in erosion control berms. The increasingly widespread use of clopyralid-containing herbicide products in turf, forestry and agricultural applications could severely limit the availability of organic feedstocks for composting processes and threaten newly established markets for compost products.

We commend the WSDA for issuing a CR101—the first step in a potential rule-making process—regarding the clopyralid-laden herbicides. We recommend that WSDA consider instituting the following additional related actions to protect our vegetation and soil:

1) Refuse to register any Weed and Feed Products that contain clopyralid for general public use

Clopyralid contamination renders residential yard trimmings incompatible with “backyard compost” uses. It kills, rather than nourishes, seedlings and plants that would otherwise benefit from the compost.

2) Rescind Registration for Professional Applicator Turf Products containing clopyralid

The registration for clopyralid turf products (such as **Confront**) should be rescinded because the label instructions—the basis for the registration—do not adequately communicate to the homeowner or lawn maintenance worker, the necessity of keeping clopyralid-tainted grass clippings out of compost and composting facilities. While pesticide labeling can be an effective tool, in this cases precautions to end users, “...Do not use compost containing grass clippings from turf treated with Confront within the growing season of application...” fail to account for the formula’s long-term persistence.

3) Require a “Compostability standard” in the Registration Process for Pesticides

The EPA’s and our State’s herbicide registration processes should reflect the fact that composting—rather than landfilling—is the preferred method for managing organic “wastes”. Composting urban yard trimmings, vegetable food scraps, manures and agricultural residuals turns them into a usable resource. Herbicide manufacturers should be required to test their formulations to determine, and demonstrate, the fate of herbicide chemical compounds during a normal 60 – 90 day composting process.

4) Actions on Agricultural Products containing clopyralid

WSU in Pullman has documented through testing that many potential agricultural feedstocks for composting (e.g. manures, straw, and animal bedding) are contaminated with clopyralid residues. A notification system should be developed to identify feedstocks which have been treated with certain herbicides that will present problems when composted or land-applied. Bagged manure products should be tested for residual herbicides – before allowing their sale to the public for garden use.

Thank you for the opportunity to submit testimony in this inquiry phase of your potential rulemaking process.

Sincerely,

Jeff Kelley-Clarke

Jeff Kelley-Clarke, Chair
State SWAC

c: State SWAC